

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00307

**Cinque Ross,**  
*Plaintiff,*

v.


**Brandon T. Winn,**  
*Defendant.*

**ORDER**

Plaintiff brought this suit pursuant to 42 U.S.C. § 1983, alleging that the defendant—his court-appointed attorney—refused to file a speedy trial motion in plaintiff’s pending state criminal case. *See* Doc. 1. The case was referred to United States Magistrate Judge John D. Love. Doc. 2.

The magistrate judge issued a report and recommendation (Doc. 11) that the amended complaint be dismissed with prejudice as frivolous and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1). Plaintiff did not object to the report and recommendation. Finding no clear error, abuse of discretion, or legal conclusions contrary to law, the court **accepts** the report and recommendation. For the reasons stated in the magistrate judge’s report and recommendation, plaintiff’s claims against defendant are **dismissed with prejudice** as frivolous and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1).

*So ordered by the court on October 27, 2020.*

  
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J. CAMPBELL BARKER  
United States District Judge